

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

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State of Kansas

PARK AND RESOURCES AUTHORITY**NOTICE OF HEARING ON PROPOSED
TEMPORARY AND PERMANENT
ADMINISTRATIVE REGULATIONS**

You are hereby notified that the Kansas Park and Resources Authority will hold a public hearing at 2:00 p.m. on October 20, 1982, in the basement auditorium of the State Office Building, Topeka, Kansas to consider the adoption of proposed temporary and permanent rules and regulations of the Authority.

All interested persons may submit written comments at any time prior to the hearing by addressing them to the Kansas Park and Resources Authority, P.O. Box 977, Topeka, Kansas 66601. All interested persons will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing.

Copies of the regulations and the fiscal impact statements may be obtained by writing: Kansas Park and Resources Authority, P.O. Box 977, Topeka, Kansas 66601.

The following are brief summaries of the proposed regulations which apply to the Kansas state parks:

33-1-9. (permanent)—A revision is proposed to eliminate the two week limitation for camping in a state park during off-season use between September 16 and May 14.

33-1-16. (temporary and permanent)—A revision is proposed to require that pets be secured on a hand-held leash or contained within a camping conveyance, vehicle, or cage and not allowed in any public facility.

33-1-17. (temporary and permanent)—A revision is proposed to allow for the possibility of hunting on state park property, if posted by the Authority.

33-1-21. (permanent)—The proposed regulation will require prior written permission for large gatherings, special events, and gatherings of 15 or more persons where cereal malt or alcoholic beverages are present.

33-2-2. (temporary and permanent)—Proposed changes in the regulation implement the 1982 Legislative Session Laws, Chapter 316, Section 1, limiting the annual complimentary motor vehicle park permit to residents of Kansas who are either 65 years and older or disabled.

33-2-4. (temporary and permanent)—The proposed regulation replaces 33-2-3 and reflects the increase in the second car, daily, and annual motor vehicle permits and limits the second car permit to one additional vehicle of the same owner.

33-3-2. (permanent)—The proposed revision will include a penalty statement for nonpayment of camping fees.

33-3-3. (temporary and permanent)—The proposed revision will reflect increased camping fees, set a flat fee for annual rent for private, club, and organization cabin sites, and clarify the annual camping fee for a calendar year.

33-3-4. (temporary and permanent)—The proposed regulation will define the term "camping unit" as it applies to the camping fee structure.

33-4-8. (temporary and permanent)—The proposed regulation establishes that motorized vessels shall be permitted on Lake Crawford for fishing purposes only, unless otherwise posted by the Authority.

33-4-9. (temporary and permanent)—The proposed regulation establishes that motorized vessels shall be permitted on Lake Meade for fishing purposes only, unless otherwise posted by the Authority.

33-4-10. (temporary and permanent)—The proposed regulation establishes that motorized vessels shall be permitted on Lake Scott for fishing purposes only, unless otherwise posted by the Authority.

LYNN BURRIS, JR.
Director

Doc. No. 000635

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PUBLISHED BY
JACK H. BRIER
Secretary of State
State Capitol
Topeka, Kansas 66612



PHONE: 913/296-2236

Carol A. Bell
Publications Director

State of Kansas**DEPARTMENT OF
HEALTH AND ENVIRONMENT****NOTICE OF PUBLIC
HEARING POSTPONEMENT**

Notice is hereby given that a public hearing by the Kansas Department of Health and Environment to gather public input on proposed amendments to the Kansas Water Quality Standards has been postponed. The hearing was scheduled for 1:30 p.m., October 6, 1982 at the Topeka-Shawnee County Health Department, 1615 West Eighth, Topeka, Kansas.

Announcement of a new hearing date will be made at a later date.

JOSEPH F. HARKINS, Secretary

Doc. No. 000634

State of Kansas**DEPARTMENT OF
HEALTH AND ENVIRONMENT****DOCKET OF
ADMINISTRATIVE HEARINGS**

October 5, 1982—In the Matter of the Denial of a One and Two-Bed Home License Application of Mildred Sester, 712 Ash, Wamego, Kansas 66547. Case No. 82-H-63. Bldg. 740, Forbes Field, Topeka, Kansas, Hearing Room 1-C-1, 9:00 a.m.

October 7, 1982—In the Matter of the Violation by Chemical Waste Management of K.A.R. 28-31-8. Case No. 82E-33. Bldg. 740, Forbes Field, Topeka, Kansas, Hearing Room 1-C-1, 10:00 a.m.

This docket is issued on September 29, 1982 and the administrative hearings are those scheduled as of this date. Other administrative hearings may be scheduled in this same time period and the above hearings may be rescheduled without further notification. Interested persons may call the Department at (913) 862-9360 ext. 585 to confirm the scheduling of a particular hearing.

JOSEPH F. HARKINS
Secretary

Doc. No. 000625

State of Kansas**SOCIAL AND REHABILITATION SERVICES****OPEN MEETING NOTICE**

Notice is hereby given to all interested parties that the Department of Social and Rehabilitation Services will hold an Open Meeting on October 5, 1982, at 9:00 a.m., in the Staff Development Training Center, Topeka State Hospital.

The scheduled agenda for the Open Meeting includes:

- Preliminary discussion of staff proposals concerning permanent administrative regulations.
- Notice that the November Open Meeting will be

held on November 9, 1982 instead of the first Tuesday of the month, November 2, as originally announced.

The public is invited to this meeting. Telephone hook-ups are provided at the following locations of Social and Rehabilitation Services offices: Chanute, Emporia, Garden City, Hays, Hutchinson, Junction City, Kansas City, Lawrence, Olathe, Ottawa, Parsons, Pittsburg, Pratt, Salina, Topeka (Area Office and State Office Building), Wichita, and Winfield.

ROBERT C. HARDER, Secretary
Social and Rehabilitation Services

Doc. No. 000631

State of Kansas**SOCIAL AND REHABILITATION SERVICES
STATE PLANNING COUNCIL ON
DEVELOPMENTAL DISABILITIES****NOTICE OF MEETING**

The Kansas Planning Council on Developmental Disabilities will hold a meeting on Wednesday, October 6, 1982, State Office Building, Fifth Floor Library at 9:00 a.m.-4:00 p.m.

JANET SCHALANSKY
Executive Secretary

Doc. No. 000632

State of Kansas**DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES****NOTICE OF COMMENCEMENT
OF NEGOTIATIONS**

Notice is hereby given of the commencement of negotiations for contracts for architectural services for the Remodeling of the Student Union Building at Emporia State University.

The State Building Advisory Commission will nominate architectural firms for said project on November 10, 1982. Nominated firms will be interviewed by an architectural negotiating committee at a later date. Negotiations for ancillary technical services will be conducted for the above project as required.

Individuals or firms wishing to be considered for this project should contact Mr. Jack Roberts Nelson, Division of Architectural Services, 625 Polk Street, Topeka, Kansas 66603, telephone number (913) 233-9367, prior to November 3, 1982.

JOHN B. HIPPI, Director
Division of Architectural Services

Doc. No. 000633

State of Kansas

STATE BOARD OF HEALING ARTS**NOTICE OF HEARING ON
PROPOSED TEMPORARY
AND PERMANENT
ADMINISTRATIVE REGULATIONS**

The Kansas State Board of Healing Arts will hold a public hearing to consider the adoption of proposed temporary and permanent changes in the Rules and Regulations on October 16, 1982, at 11:00 a.m. in the Board Office at 503 Kansas Avenue, Suite 500, Topeka, Kansas. Copies of the complete text of these proposed regulations may be obtained at the above address.

All interested parties may submit written comments prior to the public hearing by addressing them to the Board Office. All interested parties may present oral testimony at the public hearing. It may be necessary to limit oral presentation to not more than five (5) minutes.

The proposed Rules and Regulations are changes in the fees for the Board and are necessary for the Board to be able to regulate the licensees of the Board by utilizing legal and medical consultants in disciplinary hearings to operate the work of the board and to cover the cost of examinations.

K.A.R. 100-11-1. Fees

- | | | |
|--------------------------------|----------|-------------------------|
| (c) (1) Annual Renewal | \$ 50.00 | (Raised from \$30.00) |
| (2) Second Notice Renewal | \$ 75.00 | (Raised from \$60.00) |
| (3) Reinstatement | \$ 75.00 | (Lowered from \$100.00) |
| (k) Examination (cost of Exam) | | |
| (Medical) | \$160.00 | (Raised from \$100.00) |
| Chiropractic (Exam) | \$ 40.00 | (Lowered from \$100.00) |

K.A.R. 100-49-4. Podiatry Fees

- | | | |
|------------------------|----------|------------------------|
| (c) (1) Annual Renewal | \$ 50.00 | (Raised from \$30.00) |
| (2) Late Renewal | \$ 75.00 | (Raised from \$60.00) |
| (3) Reinstatement | \$125.00 | (Raised from \$100.00) |

The fiscal impact to the Board will be an increase of about \$151,155 per year with 80% (\$120,924) credited to the Board and 20% (\$30,231) to the general fund.

The fiscal impact to the licensees will be as listed above.

ELIZABETH W. CARLSON
Executive Secretary

Doc. No. 000621

State of Kansas

STATE BOARD OF AGRICULTURE**NOTICE OF HEARING ON
PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

You are hereby notified that a public hearing will be held on Monday, October 18, 1982, at 10:00 a.m., in Conference Room B of the Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed rules and regulations promulgated under authority of the Water Appropriation Act, K.S.A. 82a-701 *et seq.*, as permanent rules and regulations of the Division of Water Resources, Kansas State Board of Agriculture. These regulations will become effective on May 1, 1983, as permanent regulations.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments either orally or in writing, or both. If it is not possible for any person to be present, he or she may submit comments in writing to be received in the office of the Chief Engineer-Director of the Division of Water Resources, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612, on or before the time of the hearing. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to not more than five (5) minutes.

The Division of Water Resources proposes to adopt the following permanent regulations:

5-1-1. Amends the definitions of "battery of wells", "household purposes", "industrial use" and defines the new terms "immediate vicinity" and "completed substantially as shown on aerial photograph, topographic map or plat".

5-5-2. Repealed.

5-5-3. Limitation imposed on increase on consumptive use.

5-10-1. Authorizes the chief engineer to grant exemptions or waivers from regulations provided it is shown the exemption or waiver will not prejudicially nor unreasonably affect the public interest and that it will not impair an existing water right.

Copies of the proposed regulations and the Fiscal Impact Statement may be obtained by writing to Guy E. Gibson, Chief Engineer-Director, Division of Water Resources, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612.

GUY E. GIBSON, P.E.
Chief Engineer-Director
Division of Water Resources
HARLAND E. PRIDDLE, Secretary
State Board of Agriculture

Doc. No. 000623

State of Kansas

STATE BOARD OF AGRICULTURE**NOTICE OF HEARING ON
PROPOSED TEMPORARY
AND PERMANENT
ADMINISTRATIVE REGULATIONS**

You are hereby notified that a public hearing will be held on October 21, 1982, at 10:00 a.m., in Conference Room A of the Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed temporary and permanent rules and regulations, the adoption of proposed amended regulations and the revocation of K.A.R. 4-2-15, by the Control Division of the Kansas State Board of Agriculture. K.A.R. 4-1-17, 4-18-1, 4-19-1 and 4-4-2 will become effective as soon as possible as temporary regulations. All of these regulations will become effective on May 1, 1983, as permanent regulations.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments orally, in writing, or both. If it is not possible for any person to be present, he or she may submit comments in writing to be received in the office of the Director of the Control Division, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612, on or before the time of the hearing. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to not more than five (5) minutes.

A summary of the proposed regulations is as follows:

K.A.R. 4-1-17. Establishes the registration fee of agricultural chemicals at fifteen dollars (\$15.00) for each agricultural chemical registered; this registration fee shall affect all registrations for calendar years commencing on and after January 1, 1983, regardless of when the registration is received.

K.A.R. 4-18-1. Establishes the registration fee of livestock remedies at ten dollars (\$10.00) for each livestock remedy registered; this regulation affects products for registration periods commencing on and after January 1, 1983, regardless of when received.

K.A.R. 4-19-1. Establishes the registration fee of soil amendments at fifty dollars (\$50.00) for each product registered; this regulation affects products for registration periods commencing on and after January 1, 1983, regardless of when received.

K.A.R. 4-2-8. Updates the methods of seed analysis.

K.A.R. 4-2-15. Will be repealed.

K.A.R. 4-2-17. Establishes the schedule for seed testing for seed submitted by persons for seed testing and examination.

K.A.R. 4-3-2. Clarifies some definitions.

K.A.R. 4-4-2. Establishes the inspection tonnage

fee for fertilizer at twenty five cents (\$.25) per each ton of two thousand (2,000) pounds sold in Kansas semi-annually.

Copies of these regulations and of the Fiscal Impact Statement may be obtained by writing to Robert H. Guntert, Director, Control Division, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612.

ROBERT H. GUNTERT
Director, Control Division

HARLAND E. PRIDDLE, Secretary
State Board of Agriculture

Doc. No. 000628

State of Kansas

STATE BOARD OF AGRICULTURE**NOTICE OF HEARING ON
PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

You are hereby notified that a public hearing will be held on October 19, 1982, at 11:00 a.m., in Conference Room A of the Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed amendments of rules and regulations of the State Dairy Commissioner and the Kansas State Board of Agriculture. These proposed amendments will become effective on May 1, 1983, as permanent regulations.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments orally, in writing, or both. If it is not possible for any person to be present, he or she may submit comments in writing to be received in the office of the State Dairy Commissioner, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612, on or before the time of the hearing. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations not more than five (5) minutes.

A summary of the proposed regulations is as follows:

4-7-715. Clarifies the existing regulations.

4-7-716. Adopts by reference the Grade A Pasteurized Milk Ordinance recommended for adoption and contained in the 1978 "Recommendations of the Public Health Service and the Food and Drug Administration" as amended effective on January 1, 1982.

Copies of these regulations and of the Fiscal Impact Statement may be obtained by writing to Brace Rowley, State Dairy Commissioner, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612

BRACE ROWLEY
State Dairy Commissioner

HARLAND E. PRIDDLE, Secretary
State Board of Agriculture

Doc. No. 000626

State of Kansas

STATE BOARD OF AGRICULTURE**NOTICE OF HEARING ON
PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

You are hereby notified that a public hearing will be held on Monday, October 18, 1982, at 2:00 p.m., in Conference Room B of the Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed rules and regulations promulgated under authority of K.S.A. 1981 Supp. 82a-303a as permanent rules and regulations of the Division of Water Resources, Kansas State Board of Agriculture. These regulations will become effective on May 1, 1983, as permanent regulations.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments either orally or in writing, or both. If it is not possible for any person to be present, he or she may submit comments in writing to be received in the office of the Chief Engineer-Director of the Division of Water Resources, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612, on or before the time of the hearing. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to not more than five (5) minutes.

The Division of Water Resources proposes to adopt the following regulations:

5-40-1. Definitions.

5-40-2. Sets forth requirements for plans submitted for the construction of dams in accordance with K.S.A. 1981 Supp. 82a-301 through 305a.

5-40-3. Sets standards for submission of specifications for dams.

5-40-4. Requires all maps, plans, profiles and specifications submitted in accordance with K.S.A. 1981 Supp. 82a-301 through 305a to be prepared by a licensed professional engineer who is competent in dam design and construction.

5-40-5. To determine whether a dam impounds more than 30 acre feet of water in accordance with K.S.A. 82a-304, such measurements shall be made at the lowest elevation of the top of the dam.

5-40-6. Allows the chief engineer to waive any of the regulations adopted under this act if it is shown to the satisfaction of the chief engineer that the waiver of the regulation will not pose a hazard to the public safety and such waiver is in the public interest.

5-40-7. Requires the applicant to submit any other maps, plans, profiles and specifications for such dam and any other data which the chief engineer shall require.

5-40-8. Requires the application to be filed on a prescribed form furnished by the chief engineer.

5-40-9. Adopts Engineering Guide -1, EG-1, relating to earth dams, hazard classes, spillway requirements, detention storage requirements and rainfall data, adopted by the Kansas State Board of Agriculture, Division of Water Resources on April 16, 1982, by reference.

Copies of the proposed regulations and the Fiscal Impact Statement may be obtained by writing to Guy E. Gibson, Chief Engineer-Director, Division of Water Resources, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612.

GUY E. GIBSON, P.E.
Chief Engineer-Director
Division of Water Resources
HARLAND E. PRIDDLE, Secretary
State Board of Agriculture

Doc. No. 000622

State of Kansas

STATE BOARD OF AGRICULTURE**NOTICE OF HEARING ON
PROPOSED TEMPORARY
AND PERMANENT
ADMINISTRATIVE REGULATIONS**

You are hereby notified that a public hearing will be held on October 15, 1982, at 10:00 a.m., in Conference Room A of the Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed temporary and permanent rules and regulations of the Weed and Pesticide Division and the Kansas State Board of Agriculture. These regulations, with the exception of 4-13-6, will become effective as soon as possible as temporary regulations and all regulations will become effective on May 1, 1983, as permanent regulations.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments orally, in writing, or both. If it is not possible for any person to be present, he or she may submit comments in writing to be received in the office of the Director of the Weed and Pesticide Division, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612, on or before the time of the hearing. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to not more than five (5) minutes.

A summary of the proposed regulations is as follows:

4-13-6. Establishes the minimum bond at six thousand dollars (\$6,000).

4-13-20. Pesticide business license fees. The application fee for a pesticide business license or for the renewal of a pesticide business license shall be seventy five dollars (\$75.00) for each category in which the applicant applies for a pesticide business license or renewal of a pesticide business license. An additional

(continued)

fee of ten dollars (\$10.00) for each uncertified individual employed by the applicant to apply pesticides shall also be paid. This regulation shall apply to all pesticide business licenses, or renewals thereof, which shall be effective for calendar years commencing after December 31, 1982, regardless of when the application is received by the agency.

4-13-21. Government agency registration fee. The application fee for a government agency registration shall be thirty five dollars (\$35.00). This regulation shall affect all government agency registrations or renewals thereof effective for calendar years commencing from and after December 31, 1982, regardless of when the application is received by the agency.

4-13-22. Application fee for commercial applicator's certificate. The application fee for a commercial applicator's certificate shall be thirty five dollars (\$35.00) for each category in which the applicant applies. This regulation shall apply to all commercial applicator certificates, or renewals thereof, which shall be effective for calendar years commencing after December 31, 1982, regardless of when the application is received by the agency.

4-13-23. Examination fees. The examination fee for a commercial applicator's certificate shall be twenty five dollars (\$25.00) for each category in which the applicant is to be examined. The same fee shall apply if the applicant seeks reexamination.

4-13-24. Certified private applicator certificate fee. The certified private applicator's certificate fee shall be ten dollars (\$10.00). This regulation shall apply to certified private applicator's certificates which shall be effective for calendar years from and after December 31, 1982, regardless of when the application is received by the agency.

Copies of these regulations and of the Fiscal Impact Statement may be obtained by writing to either H. Dean Garwood, Director, Entomology Division, or to Jon Flint, Pesticide Law Administrator, Weed and Pesticide Division, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612.

H. DEAN GARWOOD
Director, Entomology Division

JON FLINT
Pesticide Law Administrator
Weed and Pesticide Division

HARLAND E. PRIDDLE, Secretary
State Board of Agriculture

Doc. No. 000627

State of Kansas

DEPARTMENT OF ADMINISTRATION DIVISION OF PURCHASES

NOTICE TO BIDDERS

Sealed bids for items hereinafter listed will be received by James I. Tolbert, Director of Purchases, State Office Building, Topeka, Kansas, until 2:00 p.m., CST or DST, whichever is in effect on the date indicated, and then will be publicly opened:

MONDAY, OCTOBER 11, 1982

#25285

Department of Social & Rehabilitation Services, Topeka—MICROFICHE, LASER PRINTING AND MAILING SERVICES

#25329

Department of Social & Rehabilitation Services—LICENSED SECURITY GUARD SERVICES, Wichita

#25335

Statewide—AUDIO TAPE

TUESDAY, OCTOBER 12, 1982

#25334

Statewide—VIDEO TAPE

#51104

Larned State Hospital, Larned—TOTAL COPY SYSTEM

#51657

Kansas Highway Patrol, Topeka—SCANNER MONITORS

#51658

Department of Transportation, Topeka—LUMINAIRES

#51659

Department of Health & Environment, Topeka—LABORATORY WATER DEIONIZER

#51668

Larned State Hospital, Larned—GROCERIES

#51669

Department of Transportation—PLANT MIX BITUMINOUS MIXTURE (COMMERCIAL GRADE), Shawnee County

#51670

Kansas State University, Manhattan—HANDICAPPED ELEVATOR

#51672

Department of Social & Rehabilitation Services, Topeka—NYLON CORD

#51673

Department of Transportation, Topeka—ELECTRONIC SIRENS

#51674

Department of Social & Rehabilitation Services, Topeka—FASTENERS

#51675

Department of Social & Rehabilitation Services, Topeka—PRINTED TERRY CLOTH SQUARES FOR FINISHING INTO POTHOLDERS

#51681

Kansas State University, Manhattan—LUMBER AND PLYWOOD

(continued)

#51682

University of Kansas, Lawrence—ELECTRIC MOTORS

#51684

University of Kansas, Lawrence—MICROCOMPUTER SYSTEM

#51699

Department of Education, Topeka—MICROCOMPUTER SYSTEM

#51715

Kansas Correctional Industries—TOWELLING, Hutchinson

WEDNESDAY, OCTOBER 13, 1982

#25331

Kansas State University, Manhattan—NURSERY STOCK

#25332

Statewide—AUTOMOTIVE SHOCK ABSORBERS

#25333

Department of Administration (Building & Grounds Services), Topeka—SNOW REMOVAL

#51666

Department of Transportation, Chanute—ASPHALT RUBBER, SEALING COMPOUND

#51676

Department of Social & Rehabilitation Services—8 PLY COTTON WETMOP YARN, Jamestown

#51685

Department of Administration (Accounts & Reports), Topeka—CONTINUOUS FORMS: 1982 W-2

#51702

Kansas Highway Patrol, Topeka—WORD PROCESSING SYSTEM

#51705

Department of Transportation, Topeka—COAXIAL CABLE AND FITTINGS

#51713

Department of Transportation, Hutchinson—OSCILLOSCOPE, for Wichita

#51716

Department of Administration (Division of Printing), Topeka—ENVELOPES—K-BEN 2721 WHITE WOVE PRINTED

#51717

Department of Revenue, Topeka—DRIVERS LICENSING ORAL-VISUAL TESTING MACHINE

#A-4489

Fort Hays State University, Hays—ROOF REPLACEMENT—FORSYTH LIBRARY

#A-4599

Department of Human Resources—ROOF REPLACEMENT—JOB SERVICE CENTER, 621 Humboldt, Manhattan

THURSDAY, OCTOBER 14, 1982

#25325

University of Kansas Medical Center, Kansas City and Statewide—SYRINGES, NEEDLES, VACUATINERS, RELATED ARTICLES (CLASS 11)

#51694

Kansas State University, Manhattan—ANIMAL DRUGS

#51697

Department of Transportation—AS-1 AGGREGATE, AND M.R.A. AGGREGATE, for Southeast Kansas District IV

#51698

Department of Transportation, Topeka—60 PAGE FIELD BOOKS, 80 PAGE LEVEL BOOKS

#51700

Kansas Correctional Industries For Women, Lansing—COMMERCIAL LAUNDRY WASHER-EXTRACTOR

#51706

Kansas State Historical Society—UTILITY TRACTOR, Hanover

#51707

University of Kansas, Lawrence—DATA MODULE/HPLC

#51708

Department of Human Resources, Topeka—TRUCK VAN

#51709

Department of Administration (Division of Printing), Topeka—ENVELOPES—BROWN KRAFT POLICY

#51710

Department of Administration (Division of Printing), Topeka—ENVELOPES—WINDOW-WHITE WOVE-PRINTED

#51711

Department of Administration (Central Motor Pool), Topeka—VEHICLES

#51714

Department of Human Resources, Topeka—TAPE DRIVE UPGRADE

FRIDAY, OCTOBER 15, 1982

#51718

Department of Transportation, Topeka—TRAINING SEMINAR

JAMES I. TOLBERT
Director of Purchases

Doc. No. 000629

State of Kansas**ATTORNEY GENERAL****OPINION NO. 82-206**

Cities and Municipalities—Public Utilities—Annual Audit

Bonds and Warrants—Revenue Bonds—Annual Audit of Municipal Utilities. James R. Cobler, Director, Accounts and Reports, Department of Administration, Topeka, September 20, 1982.

1980 House Bill No. 3178 (L. 1980, ch. 64) is an enactment of the legislature which does not uniformly apply to all cities. Thus, since K.S.A. 1981 Supp. 10-1208 and 12-866 were sections of that enactment, a city, pursuant to its constitutional home rule powers, may exempt itself by charter ordinance from the whole or any part of these statutes applicable to such city. Cited herein: K.S.A. 1981 Supp. 10-1208, 12-866, 13-1243, 13-14d12, 75-1123, 75-1124, Kan. Const., Art. 12, § 5. WRA

OPINION NO. 82-207

Taxation—Mortgage Registration Fee—Exemptions Therefrom. Gary L. Flory, McPherson County Counselor, McPherson, September 20, 1982.

The affidavit of equitable interest provided for in K.S.A. 1981 Supp. 79-3102(5) must be given by the purchaser of real property under an executory contract for the sale of real property. The affidavit cannot be given by the seller or some other person who is not the purchaser. Cited herein: K.S.A. 79-3101, K.S.A. 1981 Supp. 79-3102. RJB

OPINION NO. 82-208

State Boards, Commissions and Authorities—State Board of Regents—Osteopathic Student Loan Agreements and Deferments. Gerald R. Bergen, Student Assistance Officer, Board of Regents, Topeka, September 20, 1982.

The Kansas Board of Regents lacks authority to postpone repayment of promissory notes made pursuant to K.S.A. 1981 Supp. 74-3247. The postponement of repayment obligations for scholarships to osteopathic medical students authorized by L. 1982, Ch. 378 are inapplicable to the promissory notes made under the older loan program. Cited herein: K.S.A. 1981 Supp. 74-3246, 74-3247, 76-373, 76-375 (as amended by L. 1982, ch. 378), 76-376, 76-377, L. 1982, ch. 378. BJS

OPINION NO. 82-209

Counties and County Officers—Improvement Districts—Qualifications of Voters. Jeffery Chubb, Montgomery County Attorney, Independence, September 20, 1982.

K.S.A. 19-2758 requires that only persons who are taxpayers, residents of an improvement district, and otherwise qualified to vote pursuant to the Constitution of the State of Kansas will be allowed to vote in any improvement district election. Therefore, merely owning real property within the proposed improve-

ment district is insufficient to qualify an individual to vote in any such election, including a bond election under K.S.A. 19-2768. Cited herein: K.S.A. 19-2753, 19-2758, 19-2768. RVE

OPINION NO. 82-210

Counties and County Officers—County Counselor—County Attorney—Duties of. Representative Charles F. Laird, Fifty-Ninth District, Topeka, September 20, 1982.

K.S.A. 19-247 authorizes county counselors to render advice and written opinions on all legal matters including issues that may have criminal implications. This authority is not contrary to statutes requiring county and district attorneys to commence and control criminal prosecutions. Cited herein: K.S.A. 19-247, 19-248, 19-704. RVE

OPINION NO. 82-211

Cities of the Second Class—General Provisions—Meetings of Council. I. H. McMahon, Mayor, Osawatomie, September 20, 1982.

Where a special meeting of the council of a city of the second class is held, at which the mayor and all members of the council are present and participate in all matters coming before the council for consideration, the preliminary requirements of K.S.A. 14-111, relating to written request and formal call for such meeting, are waived, and the special meeting, and actions taken thereat, are legal despite the failure to observe such preliminary requirements.

In the absence of a charter ordinance providing otherwise, the mayor of a council city is not authorized to veto motions or resolutions adopted by a majority of the council members.

A memorandum of agreement between a recognized employee organization and a city subject to the provisions of the Kansas Public Employer-Employee Relations Act must be implemented by the adoption of an ordinance by the city governing body. Cited herein: K.S.A. 12-3003, 14-111, 15-106, 75-4321, 75-4322, 75-4331, 75-4337. TRH

ROBERT T. STEPHAN
Attorney General

Doc. No. 000624

State of Kansas

LEGISLATURE

INTERIM AGENDA

Following is a listing of meetings which are scheduled for the period of October 4 through October 15, 1982. All meetings are to be held in the Statehouse in Topeka unless otherwise indicated.

DATE	ROOM	TIME	COMMITTEE	AGENDA
Oct. 4	519-S	10:00 A.M.	Special Committee on Assessment and Taxation	Committee discussion and deliberation on all proposals assigned.
Oct. 5	519-S	9:00 A.M.		
Oct. 5	531-N	10:00 A.M.	Special Committee on Hospital Laws	To be announced.
Oct. 6	531-N	9:00 A.M.		
Oct. 7	527-S	1:00 P.M.	Legislative Budget Committee	State General Fund Receipts. Proposal 20—State Pay Plan. Proposal 21—Federal Budget Impact.
Oct. 7	K-State, Manhattan	10:00 A.M.	Joint Committee on State Building Construction	7th: FY 84 Capital Improvements—Park and Resources, Fish and Game.
Oct. 8		9:00 A.M.		8th: FY 84 K-State Capital Improvements.
Oct. 8	527-S	9:30 A.M.	Legislative Coordinating Council	Legislative matters.
Oct. 11	519-S	10:00 A.M.	Special Committee on Judiciary	Hearings on Proposals 14—Lien Priority for Adjustable Rate Mortgages; Proposal 16—Agricultural Leases; and Proposal 38—Immunity of Counties and Cities in Disaster Emergencies.
Oct. 12	519-S	9:00 A.M.		To be announced.
Oct. 11	531-N	10:00 A.M.	Special Committee on Public Health and Welfare	
Oct. 12	531-N	9:00 A.M.		
Oct. 14	529-S	10:00 A.M.	Special Committee on Labor and Industry	To be announced.
Oct. 15	529-S	9:00 A.M.		
Oct. 14	531-N	10:00 A.M.	Special Committee on State Health Insurance	1st Day—Testimony by parties interested in Proposal 29.
Oct. 15	531-N	9:00 A.M.		2nd Day—Committee discussion.

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 000630

State of Kansas

OFFICE OF JUDICIAL ADMINISTRATION

SUPREME COURT DOCKET

(NOTE: Dates and times of arguments are subject to change.)

Monday, October 18, 1982

Case Caption	Attorneys	Originating County
9:30 a.m.		
53,653 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Geary Gorup, Asst. Dist. Atty.	Sedgwick
v. Michael C. Warwick, Appellant.	Charles A. O'Hara	
54,165 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Geary Gorup, Asst. Dist. Atty.	Sedgwick
v. William E. Hunter, Appellant.	Jon D. Graves.	
53,901 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Geary Gorup, Asst. Dist. Atty.	Sedgwick
v. Charles B. Smith, Appellant.	Barry L. Arbuckle.	
54,319 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Geary Gorup, Asst. Dist. Atty.	Sedgwick
v. Russell L. Hornsby, Appellant.	David Michael Rapp.	
1:30 p.m.		
54,045 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Geary Gorup, Asst. Dist. Atty.	Sedgwick
v. Brian K. Littlejohn, Appellant.	Eric D. Bruce.	
54,283 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Geary Gorup, Asst. Dist. Atty.	Sedgwick
v. Lonnie Coleman, Appellant.	Lester A. Holloway.	
54,293 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Geary Gorup, Asst. Dist. Atty.	Sedgwick
v. Lonnie Coleman, Appellant.	Patricia M. Dengler.	
54,294 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Geary Gorup, Asst. Dist. Atty.	Sedgwick
v. Lonnie Coleman, Appellant.	Patricia M. Dengler.	
54,041 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Geary Gorup, Asst. Dist. Atty.	Sedgwick
v. Luiz Diaz and Victor C. Altemay, Appellants.	Antonio L. Ortega; Joseph Bribiesca.	
54,198 Virginia Ann Ebert, Appellant,	Donn J. Everett.	Riley
v. Patrick C. Ebert, Appellee.	Paul E. Miller.	

Tuesday, October 19, 1982

9:30 a.m.

54,303 State of Kansas, Appellant,	Robert T. Stephan, Atty. Gen.; Kevin Moriarty, Asst. Dist. Atty.	Johnson
v. Bobby R. Sexton, Appellee.	Louis Wexler.	

(continued)

- 54,417 State of Kansas, Appellant,
v.
Velma S. Potts, Appellee.
53,882 State of Kansas, Appellee,
v.
Danny Eugene Crump, Appellant.
54,246 Harold Kumberg, et al., Appellants.
v.
Carl Kumberg, Individually and d/b/a
Gunner Oil Company, et al., Appellees.
- Robert T. Stephan, Atty. Gen.;
Kevin Moriarty, Asst. Dist. Atty.
Johnson
William E. Scott.
Robert T. Stephan, Atty. Gen.;
Dennis Moore, Dist. Atty. Johnson
Thomas A. Hamill.
W. Luke Chapin. Barber
Steven Day;
John Megaffin.

1:30 p.m.

- 54,011 State of Kansas, Appellee,
v.
Glen R. Shepard, Appellant.
53,950 State of Kansas, Appellee,
v.
Jimmie L. Collins, Paul Juarez, William
A. Jackson, and Stanley Turner,
Appellants.
54,477 Charles R. Thornton, Appellant,
v.
Victor L. Shore, et al., Appellees.
54,182 Allen L. Moore and Western Home
Builders, Inc., a Kansas Corporation,
Appellees,
v.
The City of Lawrence, Kansas, et al.,
Appellants.
- Robert S. Stephan, Atty. Gen.;
Dennis Moore, Dist. Atty. Johnson
David J. Waxse.
Robert T. Stephan, Atty. Gen.;
Michael Buser, Asst. Dist. Atty. Johnson
David J. Waxse; Lonnie A.
Hamilton; Charles E. Whitman.
James E. Rumsey. Douglas
Paul Hasty, Jr.; Leslie A. Kulick,
Asst. Atty. Gen.; Milton P. Allen
Edward G. Collister. Douglas
Milton P. Allen.

Wednesday, October 20, 1982
9:30 a.m.

- 54,046 State of Kansas, Appellee,
v.
James D. Sherell, Appellant.
53,549 Connie Ellis, et al., Plaintiffs,
v.
Union Pacific Railroad, Appellant.
City of Onaga, Kansas, Pottawatomie
County and Millcreek Township,
Appellees.
54,267 State of Kansas, Appellee,
v.
Michael I. Wiggins, a/k/a Michael Owsley,
Appellant.
53,737 State of Kansas, Appellee,
v.
James K. Crumm, Jr., a/k/a James M.
Hobson, Appellant.
- Robert T. Stephan, Atty. Gen.; R.
Wayne Lampson, Asst. Dist. Atty. Wyandotte
Michael Redmon. Wyandotte
Brock R. Snyder.
James Schwinn; Gary F. Conklin;
John Stites; Charles S. Fisher, Jr. REHEARING
Robert T. Stephan, Atty. Gen.;
Scott Logan, Asst. Dist. Atty. Wyandotte
Carl E. Cornwell.
Robert T. Stephan, Atty. Gen.;
David R. Belling, Co. Atty. Miami
Steven Tatum, Special Prosecutor.
Edward V. Byrne.

(continued)

1:30 p.m.

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|--------|---|---|-----------|
| 53,532 | Frank J. Merando, Appellee, | William L. Roberts; Payne H. Ratner, Jr. | Wyandotte |
| | v. | | |
| | The Atchison, Topeka and Santa Fe Railway, Appellant. | David K. Fromme. | |
| 54,219 | State of Kansas, Appellee, | Robert T. Stephan, Atty. Gen.; Robert M. Miles, Co. Atty. | Seward |
| | v. | | |
| | Tommy L. Thompson, a/k/a Leslie S. Thompson, Appellant. | Keith Wilson | |
| 53,986 | State of Kansas, Appellee, | Robert T. Stephan, Atty. Gen.; Tim R. Karstetter, Co. Atty. | McPherson |
| | v. | | |
| | Frank Miesbauer, Appellant. | Ward Ferguson. | |

Thursday, October 21, 1982

9:30 a.m.

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|--------|--|---|---------|
| 54,000 | State of Kansas, Appellee, | Robert T. Stephan, Atty. Gen.; Gene Olander, Dist. Atty. | Shawnee |
| | v. | | |
| | Maximo Campillo Echevarria, Appellant. | Michael Harris. | |
| 54,163 | Ritchie Paving, Inc., et al., and Utility Contractors, Inc., Appellants. | William G. Haynes. | Shawnee |
| | v. | | |
| | Kansas Department of Transportation, Appellee. | Daniel L. Watkins. | |
| 54,308 | Capital Electric Line Builders, Inc., et al., Appellants, | Thomas F. Puckett. | Shawnee |
| | v. | | |
| | Michael Lennen, Secretary of Revenue, Appellees. | S. Lucky DeFries. | |
| 54,124 | State of Kansas, Appellee, | Robert T. Stephan, Atty. Gen.; Gene-M. Olander, Dist. Attorney. | Shawnee |
| | v. | | |
| | Larry Stellwagen, Appellant. | Larry E. Schneider. | |

1:30 p.m.

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|--------|--|---|----------|
| 54,071 | State of Kansas, Appellee, | Robert T. Stephan, Atty. Gen.; Gene M. Olander, Dist. Atty. | Shawnee |
| | v. | | |
| | Willis Perry Tyus, Appellant. | Wendell Betts. | |
| 54,348 | In the Matter of the Appeal of K-MART CORPORATION from an Order of the Director of Taxation dated February 8, 1980, et al. | Benjamin J. Neill. | Shawnee |
| | | Mark Beshears; S. Lucky DeFries. | |
| 54,765 | Pickrell Drilling Company, Applicant, | Richard C. Byrd; Walker A. Hendrix. | Original |
| | v. | | |
| | State Corporation Commission of Kansas, et al., Respondents. | Carol J. Larson; James P. Niedermeyer; Charles J. Woodin; David S. Black; James M. Concannon; Thomas A. Loftus. | |

Friday, October 22, 1982

9:30 a.m.

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|--------|-------------------------------|---|---------|
| 54,214 | State of Kansas, Appellee, | Robert T. Stephan, Atty. Gen.; Sue Carpenter, Asst. Dist. Atty. | Shawnee |
| | v. | | |
| | William A. Brooks, Appellant. | Camille Nohe. | |

(continued)

54,380	State of Kansas, Appellee, v. Eddie James Lowery, Appellant.	Robert T. Stephan, Atty. Gen.; Patrick Caffey, Asst. Co. Atty.	Riley
54,049	State of Kansas, Appellee, v. Marion Lewis Lockett, Appellant.	Lawrence Vogel. Robert T. Stephan, Atty. Gen.; Craig Stancliffe, Asst. Dist. Atty.	Douglas
54,277	State of Kansas, Appellee, v. L. V. Luarks, Appellant.	James E. Rumsey. Robert T. Stephan, Atty. Gen.; Harry Warren, Asst. Dist. Atty.	Douglas
		H. Michael Nichols.	

COURT OF APPEALS DOCKET

(NOTE: Dates and times of arguments are subject to change.)

KANSAS COURT OF APPEALS

COURT OF APPEALS COURTROOM, 3rd FLOOR, OLD SEDGWICK COUNTY COURTHOUSE

541 NORTH MAIN, WICHITA, KANSAS.

Before MEYER, P.J., ABBOTT and REES, JJ.

Wednesday, October 13, 1982

Case No.	Case Name	Attorneys	County
9:00 a.m.			
53,973 S.C.	Charles Melvin Smith, Appellant, v. State of Kansas, Appellee.	Jon D. Graves.	Sedgwick
53,702	State of Kansas, Appellee, v. Michael Hamilton, Appellant.	Geary Gorup, Asst. D.A.; Clark V. Owens, D.A.; Atty. Gen.	Sedgwick
54,068	State of Kansas, Appellee, v. John O. Young, Appellant.	Edward J. Nazar. Geary N. Gorup, Asst. D.A.; Clark V. Owens, D.A.; Atty. Gen.	Sedgwick
54,004	State of Kansas, Appellee, v. Levi M. Baros, Appellant.	Duncan Adair Whittier. Geary Gorup, Asst. D.A.; Clark V. Owens, D.A.; Atty. Gen.	Sedgwick
53,377	State of Kansas, Appellee, v. James L. Wright, Appellant.	Ernest H. Moulos. Geary Gorup, Asst. D.A.; Clark V. Owens, D.A.; Atty. Gen.	Sedgwick
53,513	State of Kansas, Appellee, v. Robert J. Gates, Appellant.	Randall H. Elam. Geary Gorup, Asst. D.A.; Clark V. Owens, D.A.; Atty. Gen.	Sedgwick
		Charles A. O'Hara.	
1:00 p.m.			
53,946	Paul L. Freund, Appellee, v. B & G Irrigation Inc., and Northwestern National Cas. Co., Appellants.	Larry T. Solomon. Patrick T. Forbes.	Stafford
53,371	Dora C. McKeown, Appellant, v. Deborah Lynn Youngberg, Appellee.	Thomas J. Berscheidt. John H. Shaffer. John F. Hayes.	Reno

(continued)

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|--------|---|--|------|
| 53,872 | In the Interest of Baby John Doe, a Minor. | Richard J. Rome.
Francis Meisenheimer, Asst. Co. Atty.; Joseph McCarville, Co. Atty.; Atty. Gen. | Reno |
| 53,628 | State of Kansas, Appellee,

v.
Harold J. Lawhead, Appellant. | Timothy J. Chambers, Asst. Co. Atty.; Joseph McCarville, Co. Atty.; Atty. Gen.

Warren M. Wilbert. | Reno |

Thursday, October 14, 1982
9:00 a.m.

- | | | | |
|----------------|---|---|----------|
| 53,847
S.C. | Nonalee Hamilton, Appellant,

v.
Beech Aircraft Corp. and State Automobile & Cas. Underwriters, Appellees. | John M. Ostrowski.

David S. Wooding. | Sedgwick |
| 53,929 | In the Matter of the Adoption of DAVID JOSHUA GREEN. | Randall E. Fisher.
Cyd Gilman, Legal Aid of Wichita. | Sedgwick |
| 53,250 | Floyd L.A. Blair, Jr., Appellee,

v.
Teresa V. Blair, Appellant. | Floyd L.A. Blair, Jr., Pro Se.

Randall E. Fisher. Legal Aid of Wichita. | Sedgwick |
| 53,728 | State of Kansas, Appellee,

v.
Betty A. Warren, Appellant. | Geary Gorup, Asst. D.A.; Clark V. Owens, D.A.; Atty. Gen.

Russell Shultz. | Sedgwick |
| 53,473 | State of Kansas, Appellee,

v.
Danny A. Walters, Appellant. | Geary Gorup, Asst. D.A.; Clark V. Owens, D.A.; Atty. Gen.

James S. Phillips. | Sedgwick |
| 54,064 | Ivan D. Ekstrom, Appellant,

v.
Consolidated Freightways and Kansas Workers Comp. Fund., Appellees. | James S. Phillips, Sr.

Gary A. Winfrey.
John C. Nodgaard. | Sedgwick |

1:00 p.m.

- | | | | |
|--------|--|--|----------|
| 53,913 | In the Best Interest of Rachel Marie and Eva Christine Kerns, minors under age 18. | James Phillips Jr.
Robert Hiller, Jr.
Steve Mosley. | Sedgwick |
| 53,914 | In the Interest of Norina Bethann Priest and Shane Allen Priest, Minor Children under 18 years. | William Griffith.
John Clark.
Karen Langston.
David Bryan.
Robert R. Hiller. | Sedgwick |
| 53,955 | In the Interest of Brent Burnam, et al, minor children. | Kenneth C. Kimmel.
Robert Hiller.
David Jackson.
Steve Islas. | Sedgwick |
| 53,567 | C. L. Eckhoff, Appellant,

v.
Robert Jean, City Mgr. of Pratt; the City of Pratt by and through its Commissioners, et al. | John V. Black.

Michael K. Johnston. | Pratt |

Friday, October 15, 1982
9:00 a.m.

- | | | | |
|----------------|--|---|----------|
| 54,059
S.C. | Gina Epps, Appellee,

v.
The Boeing Company, and Aetna Ins. Co., Appellant. | James B. Zongker.

Frederick L. Haag. | Sedgwick |
|----------------|--|---|----------|

(continued)

53,300	James L. Kobbee, Decd., Bernadine Kobbee, Widow, Appellant, v. The Boeing Company and Hartford Ins. Co., Appellees.	Ervin E. Grant. Frederick L. Haag.	Sedgwick
54,611	State of Kansas, Appellant, v. Hugh F. Melland, Appellee.	John B. Klenda, Asst. Co. Atty.; Tim Karstetter, Co. Atty.; Atty. Gen.	McPherson
53,672	Dorothy Hartman, Exec. et al., Appellants. v. Elsa E. Nordquist, et al, Appellees.	William S. Mills. Charles E. Watson. Harold A. Pfalzgraf. Marsh D. Doctor.	Sumner

**KANSAS COURT OF APPEALS
WYANDOTTE COUNTY COURTHOUSE, Div. No. 5
KANSAS CITY, KANSAS.**

Before FOTH, C.J., PARKS and SWINEHART, JJ.

Thursday, October 14, 1982

9:00 a.m.

53,712 S.C.	Guaranty State Bank & Trust, Appellee, v. Eva May Charboneau and Eva May Charboneau, Adm., Estate of Alma Leo Charboneau, Decd., Appellant.	Richard L. Reid. John H. Fields.	Wyandotte
54,067	State of Kansas, Appellee, v. Gary Stroble, Appellant.	Michael Grosko, Asst. D.A.; Nick Tomasic, D.A.; Atty Gen.	Wyandotte
53,983	State of Kansas, Appellee, v. Derrick R. King, Appellant.	David S. Brake. Robert W. Strohmeyer.	Wyandotte
53,556	Lee Publishing Inc., dba The Kansan, Appellee, v. Bonanza Sirloin Pit, Appellant.	Frank Martin, Asst. D.A.; Nick Tomasic, D.A.; Atty. Gen.	Wyandotte
53,546	Clinton E. Davenport and Mary Davenport, Appellants, v. City of Kansas City, Appellee.	Michael Redmon. J. R. Russell. Thomas R. Hill. J. R. Russell.	Wyandotte
		Robert J. Watson.	

1:00 p.m.

53,696	State of Kansas, Appellee, v. Richard C. Stone, Appellant.	Robert Davis, Co. Atty.; Atty. Gen.	Leavenworth
53,162	Edwin D. Beaver, Appellant, v. Bill Holtom Ford, Inc., and Ford Motor Co., et al, Appellees.	Ruben Jorge Kristal. Kris L. Arnold.	Wyandotte
53,647	Evelyn Fairbanks, Appellant, v. Kansas Power & Light Co., Inc., Appellee.	James B. Lowe. Albert E. Grauberger. George E. Mallon.	Leavenworth
		Frederick K. Starrett.	

(continued)

Friday, October 15, 1982
9:00 a.m.

54,483	Ruby Marshall, Appellant, v. State of Kansas, Appellee.	Paul M. Dent.	Wyandotte
54,063	State of Kansas, Appellee, v. Marion Robinson, Appellant.	Nick Tomasic, D.A.; Atty. Gen.	
53,925	In re Twila Sykes.	Dexter Burdette, Asst. D.A.; Nick Tomasic, D.A.; Atty. Gen.	Wyandotte
53,686	Barnett & Lerner, Chtd., Appellee, v. Aetna Cas. & Surety Ins. Co., Appellant.	Carl E. Cornwell, Everett Fritz, II. Ed Brunk, Asst. D.A.; Nick Tomasic, D.A.; Atty. Gen. Annette Jackson.	Wyandotte
53,697	Leroy Howard, Appellee, John H. Heslop, Appellant, v. Robert A. Atkins, Appellee.	Albert Ross. David K. Martin. Ed Schneeberger.	Wyandotte Leavenworth
53,342	Donna J. Guye, Appellee, v. Richard Lee Guye, Appellant.	Charles E. Simmons. Atty. Gen.	
53,643	In the Matter of the Estate of Mildred Harding, aka Mildred Herberger, aka Mildred Pintar, aka Sally Harding, aka Sally Herberger, Deceased.	Michael J. Peterson. David H. Neighbor. Robert C. Miller. Francis J. Donnelly.	Wyandotte Wyandotte

1:00 p.m.

KANSAS COURT OF APPEALS
JOHNSON COUNTY COURTHOUSE, DIV. #6, COURTROOM 300
OLATHE, KANSAS.
Before FOTH, C.J., SPENCER and SWINEHART, JJ.
Monday, October 18, 1982

9:00 a.m.

53,874	John Christopher White, Appellant, v. State of Kansas, Appellee.	Janice D. Russell.	Johnson
53,677 Consolidated w/	State of Kansas, Appellee, v. Gary L. Baker, Appellant.	Dennis Moore, D.A.; Atty. Gen.	
53,678	State of Kansas, Appellee, v. Gary L. Baker, Appellant.	Dennis Moore, D.A.; Atty. Gen.	Johnson
53,855	State of Kansas, Appellee, v. Fred Nicholas Alasio, Appellant.	Janice D. Russell. Dennis Moore, D.A.; Atty. Gen.	Johnson
53,751	State of Kansas, Appellee, v. William M. Loveland, Appellant.	David R. Gilman. Dennis Moore, D.A.; Atty. Gen.	Johnson
53,544	Vernon R. Debus, et al, Appellee, v. Fernando Egea, et al, Appellant.	Andrew Heyl. Joe L. Norton; James R. Deckert. Pro Se.	Johnson

(continued)

1:00 p.m.

53,415	City of Overland Park, Appellee, v. Reginald Estell, Appellant.	Michael Mance.	Johnson
53,609	Ellis J. Garrison, Appellant, v. Ban Ngoc Vu, Appellee.	D. William Provance. Ronald D. Garrison.	Johnson
53,497	Sandra M. Majors, Appellee, v. Bobby Lee Majors, Appellant.	Barry W. McCormick. Tim Degginger. Eugene C. Riling.	Douglas

Tuesday, October 19, 1982

9:00 a.m.

54,213	State of Kansas, Appellee, v. Robert N. Fisher, Appellant.	Larry McClain, Asst. D.A.; Dennis Moore, D.A.; Atty. Gen.	Johnson
53,972	State of Kansas, Appellee, v. Michael James Webb, Appellant.	Clarence R. Wietharn. Steven R. Zieber, Asst. D.A.; Dennis Moore, D.A.; Atty. Gen.	Johnson
53,695	Puritan-Bennett Corp. and Puritan-Bennett Aero Systems, Inc., Appellants, v. Robert J. Richter, Appellee.	J. Steven Schweiker. Thomas E. Ruzicka. James Borthwick.	Johnson
53,715	Darcy Malcolm, Appellant, v. Kenneth J. Belczak et al, Appellee.	Irving Achtenberg. Mark R. Singer. Joseph R. Perry.	Johnson
53,390	James A. Prendergast, Appellee, v. J. C. Nichols, Inc.; and Guardian Management, Inc., Appellants.	James O. Schwinn. Jerome V. Bales. Joel K. Goldman. Patricia E. Riley.	Johnson

1:00 p.m.

53,553	Shawn Jon Jarrett Smith, et al, Glenda E. Mansaw, Adm. Estate of Jerry Eugene Smithey, and Shawn Jon Jarrett Smith, et al, Appellants, v. Tracy Lee Smithey, et al, Appellees, v. Thomas Norville, Jr., Robert Zimmerman, W & L Motor Lines Inc. and/or Protective Insurance Co., Appellees.	Eldon L. Hagan; Stanley R. McAfee. Mitchell S. Pettit.	Franklin
53,383	Richard A. Mongold, Appellee, v. John L. Moudy, et al, Appellants.	Richard O. Skoog. Wendall Barker.	Franklin
53,669	Daniel P. Skahan, Appellant, v. M. C. Powell, et al, Appellee.	L. Michael Latimer. Harry B. Reese. Wm. E. Scott. Paul L. Skahan. Rita M. Abernethy. Marvin Rainey.	Johnson

LEWIS C. CARTER
Clerk of the Appellate Court

(Published in the KANSAS REGISTER, September 30, 1982.)

NOTICE OF BOND SALE
\$167,500
GENERAL OBLIGATION BONDS
OF THE
CITY OF LARNED, KANSAS
SERIES 1982-C

The CITY OF LARNED, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, 606 TOPEKA, LARNED, KANSAS, until 8:00 o'clock P.M., C.D.T., on

MONDAY, OCTOBER 4, 1982

for \$167,500 aggregate par value GENERAL OBLIGATION BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered. No bids for less than the entire aggregate amount of the Bonds will be considered.

All of the Bonds will be negotiable coupon Bonds, will be dated OCTOBER 1, 1982, and will be in denominations of \$5,000.00 each, except No. 1 in denomination of \$7,500. The Bonds will mature serially on each OCTOBER 1 in each of the years and in the amounts as follows:

Principal Amount	Maturity Date
\$17,500	1983
15,000	1984
15,000	1985
15,000	1986
15,000	1987
15,000	1988
15,000	1989
20,000	1990
20,000	1991
20,000	1992

All of the Bonds shall mature without option of prior payment.

Interest on the Bonds will first be payable on APRIL 1, 1983, and thereafter semiannually on the first days of OCTOBER and APRIL in each year until the Bonds are fully paid. Both the principal of and interest on the Bonds will be payable to bearer at the Office of the State Treasurer in the City of Topeka, Kansas.

Proposals will be received on the Bonds bearing such rate or rates of interest, not exceeding FIVE (5) different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two percent (2%). No interest rate shall exceed the maximum interest rate allowed by Kansas law; said rate

two percent (2%) above the Bond Buyer's 20 Bond Index published Monday, September 27, 1982, and no bid of less than par and accrued interest will be considered. Bids involving the use of extra or supplemental coupons will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed

to the City at 606 TOPEKA, LARNED, KANSAS 67550, ATTENTION: VERNON STALLMAN, CITY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to two percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF LARNED, KANSAS. In the event a bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

The Bonds, duly printed, executed and registered, will be furnished and paid for by the City; and the Bonds will be sold subject to the unqualified approving opinion of CURFMAN, HARRIS, STALLINGS, GRACE & SNOW, Bond Counsel, of Wichita, Kansas, whose opinion will be paid for by the City. The purchaser will be furnished with a complete Transcript of Proceedings evidencing the authorization and issuance of the Bonds; and the usual closing proofs, which will include a Certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity. Delivery of the Bonds will be made to the successful bidder on or before NOVEMBER 15, 1982, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser. The balance of the purchase price shall be payable in Federal Reserve funds or equivalent thereof.

The Bonds will constitute general obligations of the City, payable as to both principal and interest in part from the collection of special assessments which have been levied on benefited property; but any portion of said specially assessed part not so paid, and the remainder of said principal and interest will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable, tangible property within the territorial limits of the City. The Bonds are being issued under the authority of K.S.A. 12-6a01 *et seq.*, as amended and supplemented, for the purpose of redeeming and cancelling certain Temporary Improvement Notes of the City heretofore issued for the purpose of temporarily financing the costs of constructing various internal improvements in the City.

The sealed bids for the Bonds shall be opened and read aloud publicly and only at the time and place specified in this Notice; and the Bonds will be sold to the highest bidder. The City reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the Bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the City; and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities.

(continued)

Assessed valuation figures for the City of Larned, Kansas, for the year 1981, are as follows:

Equalized Assessed Valuation of Taxable, Tangible Property	\$9,725,058.00
Tangible Valuation of Motor Vehicles	1,571,118.00
Tangible Valuation of Motor Vehicle Dealers' Inventory	<u>125,880.00</u>
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$11,422,056.00

The outstanding bonded indebtedness of the City of Larned, Kansas, at the date hereof, including this proposed issued of Bonds in the aggregate amount of \$167,500, is in the total principal amount of \$1,147,000. The City also has Temporary Improvement Notes outstanding in the total principal amount of \$339,400, \$186,000 of which will be retired from the proceeds of the Bonds and special assessments which have been collected in cash.

DATED October 1, 1982.

VERNON STALLMAN
City Clerk
City of Larned, Kansas

Doc. No. 000618

(Published in the KANSAS REGISTER, September 30, 1982.)

NOTICE OF BOND SALE GENERAL OBLIGATION BONDS OF THE CITY OF JUNCTION CITY, KANSAS

The City of Junction City, Kansas, will receive and consider separate sealed bids for the sale of General Obligation Bonds, Series "CQ", in the amount of \$856,094.25, dated October 1, 1982 and General Obligation Bonds, Series "CR", in the amount of \$162,405.45, dated October 1, 1982. Bids will be opened at the meeting of the City Commission in the Municipal Building at 7:05 p.m.; C.S.T., Tuesday, October 5, 1982.

Bonds will be in the denomination of \$5,000.00 each, except Bond Number 1 of the Series CQ Bonds, which will be in the denomination of \$6,094.25 and Bond Number 1 of the Series CR Bonds, which will be in the denomination of \$7,405.45, and mature as follows:

SERIES CQ

Number	Maturity	Amount
1-18	October 1, 1983	\$91,094.25
19-35	October 1, 1984	85,000.00
36-52	October 1, 1985	85,000.00
53-69	October 1, 1986	85,000.00
70-86	October 1, 1987	85,000.00
87-103	October 1, 1988	85,000.00
104-120	October 1, 1989	85,000.00
121-137	October 1, 1990	85,000.00
138-154	October 1, 1991	85,000.00
155-171	October 1, 1992	85,000.00

SERIES CR

1-2	October 1, 1983	12,405.45
3-4	October 1, 1984	10,000.00
5-6	October 1, 1985	10,000.00
7-8	October 1, 1986	10,000.00
9-10	October 1, 1987	10,000.00
11-12	October 1, 1988	10,000.00
13-14	October 1, 1989	10,000.00
15-16	October 1, 1990	10,000.00
17-18	October 1, 1991	10,000.00
19-20	October 1, 1992	10,000.00
21-22	October 1, 1993	10,000.00
23-24	October 1, 1994	10,000.00
25	October 1, 1995	5,000.00
26	October 1, 1996	5,000.00
27	October 1, 1997	5,000.00
28	October 1, 1998	5,000.00
29	October 1, 1999	5,000.00
30	October 1, 2000	5,000.00
31	October 1, 2001	5,000.00
32	October 1, 2002	5,000.00

Bonds will bear interest at the rates to be determined when said Bonds are sold as hereinafter provided and said interest will be payable on April 1, 1983, and semiannually thereafter on October 1 and April 1 of each year. Both principal of and interest on said bonds will be payable in lawful money of the United States of America at the State Fiscal Agency, Topeka, Kansas.

Bids will be received on bonds bearing such rates of interest as may be specified. Interest rates shall be in a multiple of one-eighth (1/8) of one percent (1%) or one-twentieth (1/20) of one percent (1%). No interest rate shall exceed the Kansas legal rate. No bids less than par and accrued interest will be considered.

All of said bonds will constitute general obligations of Junction City, Kansas, payable as principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all taxable tangible property within the territorial limits of said City. The bond issue in the Notice of Bond Sale does not contain a callable clause.

The award will be made on the basis of the lowest net interest cost to the City for each separate issue.

The City of Junction City reserves the right to reject any and all bids.

All bids must be on forms furnished by the City Clerk and executed by a duly authorized officer of the bidding firm or corporation; otherwise, they will not be considered.

Bids shall be sealed, accompanied by a cashier's or certified check on a bank located in the United States of America in the amount of two per cent of the amount bid, and payable to the order of the City of Junction City, Kansas. Each bidder must certify to the correctness of computations by signing the bid sheet. Any alteration, changes or conditioned bids will be subject to rejection.

The City of Junction City will have the bonds properly printed without cost to the successful bidder.

The City of Junction City is requesting CUSIP identification numbers be printed on the Bonds, neither the failure to print such numbers on any Bond nor

(continued)

any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid for by the City; provided, however, that CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the purchaser.

The purchase price, together with any premium and accrued interest, from date of bonds to date of delivery must be paid at delivery or bidding check will be forfeited.

The net interest cost to the City placed on the bidding sheet for the purchase of bonds to the City of Junction City, Kansas, shall be the binding bid.

The bonds will be subject to the approving opinion of Nichols and Wolfe Chartered, Bond Attorneys, Topeka, Kansas, and the City of Junction City shall pay for such opinion.

Bonds will be delivered to the successful bidder at any bank in Topeka or Wichita, Kansas or Kansas City, Missouri on or before December 5, 1982.

The assessed valuation of Junction City is \$39,763,800.00.

The bonded indebtedness as of October 1, 1982, is as follows:

General Obligation Bonds	\$5,265,428.06
Revenue Bonds	\$5,425,000.00
Temporary Notes	\$2,557,267.03

F. R. GALLIHER
City Clerk

State of Kansas

SECRETARY OF STATE

NOTICE: 1982 SESSION LAWS STILL AVAILABLE

A second printing of the *1982 Session Laws of Kansas* is now available from this office. After the supply of the first printing was depleted some people who inquired were told the *1982 Session Laws* were no longer available. However, the decision was made to do a second printing, and copies are again available, in Paperbound only, at \$13.00 per copy. A "clip and mail" order form is printed below for your convenience.

JACK H. BRIER
Secretary of State

Doc. No. 000620

CLIP AND MAIL

1982 SESSION LAWS—SECOND PRINTING

To order, complete this order blank and return it, WITH PAYMENT, to Jack H. Brier, SECRETARY OF STATE, State Capitol; Topeka, Kansas 66612.

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